

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hirokazu ASAKA

Serial No.: 10/580,533

Filed: May 25, 2006

Title: OPTICAL MEASURMENT APPARATUS  
FOR LIVING BODY AND METHOD THEREOF

Art Unit: 3735

Examiner: Not Yet Assigned

Conf. No.: 5717

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR 1.97 & 1.98**

**MAIL STOP: AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 8, 2010

Sir:

Pursuant to Applicants' duty of disclosure, enclosed please find a copy of a European Search Report, dated August 6, 2010, issued in corresponding European Patent Application No. 04819290, along with Forms PTO-SB/08A&B, listing the cited references, which are submitted for consideration.

This information disclosure statement is being submitted before the mailing of the first Office Action on the merits. It is respectfully requested that this information disclosure statement be considered by the Examiner.

The following Statement is made under 37 C.F.R. §1.97(e):

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

In view of the foregoing, it is respectfully submitted that all applicable requirements of 37 C.F.R. §1.97 and §1.98 have been satisfied, in connection with the present submission of the enclosed documents. Accordingly, consideration of the enclosed documents, during examination of the above-identified application, is respectfully requested.

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 529.46174X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP.

/Leonid D. Thenor/ 

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LDT/vvr

Dated: November 8, 2010